

Message Text

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13

ACTION EA-14

INFO OCT-01 ISO-00 DLOS-07 INT-08 EB-11 COA-02 L-03 SS-20

NSC-07 IO-14 CIAE-00 DODE-00 INR-10 NSAE-00 PA-04

RSC-01 USIA-15 PRS-01 SP-03 SCA-01 SCSE-00 H-03 CG-00

DOT-00 DRC-01 /126 W
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R 102100Z JUL 74

FM AMEMBASSY WELLINGTON

TO SECSTATE WASHDC 8343

INFO GOVAMSAMOA PAGO PAGO

UNCLAS WELLINGTON 2154

FOR GOVERNOR HAYDON

EO 11652: N/A

TAGS: PFOR, NZ

SUBJECT: MFA EXPRESSES CONCERN OF GOVERNMENT OF NIUE OVER ALLEGED
VIOLATION OF TERRITORIAL SEA

1. THERE FOLLOWS VERBATIM TEXT OF MFA NOTE DATED JUNE 28
RECEIVED BY EMBASSY JULY 8:

QUOTE THE MINISTRY OF FOREIGN AFFAIRS PRESENTS
ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES OF
AMERICA AND HAS THE HONOUR TO DRAW THE EMBASSY'S
ATTENTION TO THE FOLLOWING MATTER.

THE MINISTRY HAS RECENTLY BEEN ASKED BY THE RESIDENT
COMMISSIONER OF NIEU TO EXPRESS THE DEEP CONCERN OF THE
GOVERNMENT OF NIUE AT THE INCREASING INSTANCES OF
VIOLATION OF ITS TERRITORIAL SEA.

ON 11 MARCH A FISHING VESSEL, UNDERSTOOD TO BE
REGISTERED IN THE TERRITORY OF AMERICAN SAMOA, WAS SEEN TO
BE OPERATING AT TEPA POINT, OFF AVATELE HARBOUR. IT WAS
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OBVIOUS TO THE LOCAL FISHERMEN THAT THE VESSEL, WHICH WAS

IDENTIFIED AS THE TONEWHA NO. 5, WAS ENGAGED IN FISHING FOR PELAGIC SPECIES. IN THIS INSTANCE THE VESSEL WAS APPROACHED BY THE LOCAL FISHERMEN WHO WERE TOLD BY THE MASTER THAT HE HAD ENTERED THE HARBOUR TO SEE THE RESIDENT COMMISSIONER. THE MASTER WAS INFORMED THAT THE COMMISSIONER RESIDED IN ALOFU, THE MAIN PORT, BUT THE VESSEL DID NOT IN FACT SUBSEQUENTLY PROCEED THERE.

THE SAME VESSEL WAS LATER SIGHTED ON SEVERAL OCCASIONS BY THE LOCAL FISHERMEN IN THE SAME VICINITY WITHIN THE TERRITORIAL SEA OF NIUE. ON 11 MARCH, THE VESSEL CAME INTO THE BAY, ALTHOUGH ON THIS OCCASION, DUE TO HEAVY SWELLS ON THE REEF, IT WAS NOT APPROACHED BY THE LOCAL FISHERMEN.

THE RESIDENT COMMISSIONER HAS ALSO EXPRESSED HIS CONCERN THAT SUCH VIOLATIONS OF THE TERRITORIAL SEA OF NIUE COULD LEAD TO THE INTRODUCTION INTO THE ISLAND OF THE COCONUT BEETLE, SINCE VESSELS SUCH AS THE TONEWHA NO. 5 OPERATE MAINLY IN AND AROUND TERRITORIES WHERE THE BEETLE IS RIFE, NAMELY PAGO PAGO AND FIJI.

THE EMBASSY WILL BE AWARE THAT THE GOVERNMENT OF NIUE HAS NO VESSELS OF ITS OWN WITH WHICH TO POLICE ITS WATERS, AND IS THEREFORE DEPENDENT ON THE MASTERS OF FISHING VESSELS HAVING RESPECT FOR ITS TERRITORIAL SEA AND THE COOPERATION OF THE GOVERNMENTS IN THE TERRITORIES OF WHICH SUCH VESSELS ARE REGISTERED.

THE MINISTRY WOULD REQUEST THAT THE STRONG CONCERN OF THE GOVERNMENT OF NIUE AT THE INCREASING INSTANCES OF VIOLATIONS OF ITS TERRITORIAL SEA, PARTICULARLY BY VESSELS UNDERSTOOD TO BE REGISTERED IN THE TERRITORY OF AMERICAN SAMOA, COULD BE DRAWN TO THE ATTENTION OF THE APPROPRIATE AUTHORITIES IN THAT TERRITORY AND TO THE OWNER OF TONEWHA NO. 5.

THE MINISTRY OF FOREIGN AFFAIRS AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE EMBASSY OF THE UNITED STATES OF AMERICA THE ASSURANCES OF ITS HIGHEST CONSIDERATION. END QUOTE
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2. EMBASSY HAS RESPONDED TO MFA WITH REPLY NOTING GON CONCERN AND STATING TEXT OF NOTE HAS BEEN FORWARDED TO APPROPRIATE AUTHORITIES.

3. ACTION REQUESTED - REQUEST ALLEGED VIOLATIONS BE INVESTIGATED AND EMBASSY BE INFORMED OF FINDINGS AND ANY ACTIONS TAKEN.

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